

product was ordered released under bond to be brought into compliance with the law, under the supervision of the Food and Drug Administration.

#### MACARONI AND NOODLE PRODUCTS

**11330. Adulteration of macaroni products. U. S. v. Golden Grain Macaroni Co., a corporation, and Paskey Dedomenico. Pleas of guilty. Corporation fined \$750 and costs; individual defendant fined \$100. (F. D. C. No. 20471. Sample No. 29190-H.)**

**INFORMATION FILED:** October 16, 1946, Western District of Washington, against the Golden Grain Macaroni Co., Seattle, Wash., and Paskey Dedomenico, president.

**ALLEGED SHIPMENT:** On or about December 15, 1945, from the State of Washington into the State of California.

**LABEL, IN PART:** "Golden Grain Elbow Macaroni [or "Salad Macaroni," or "Twistee Noodles"]."

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (4), the articles had been prepared, packed, and held under insanitary conditions whereby they may have become contaminated with filth.

**DISPOSITION:** March 14, 1947. Pleas of guilty having been entered, the court imposed a fine of \$750 and costs against the corporation and a fine of \$100 against the individual defendant.

**11331. Adulteration of egg noodles. U. S. v. 139 Cases \* \* \*. (F. D. C. No. 20381. Sample No. 51230-H.)**

**LABEL FILED:** July 6, 1946, District of Minnesota.

**ALLEGED SHIPMENT:** On or about April 20, 1946, by the Chicago Macaroni Co., from Chicago, Ill.

**PRODUCT:** 139 cases, each containing 12 1-pound packages, of egg noodles at Virginia, Minn.

**LABEL, IN PART:** "Cyrilla Brand Pure Egg Noodles."

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a filthy substance by reason of the presence of rodent hair fragments and insect fragments; and, Section 402 (a) (4), it had been prepared under insanitary conditions whereby it may have become contaminated with filth.

**DISPOSITION:** October 11, 1946. No claimant having appeared, judgment of condemnation was entered and the product was ordered denatured and disposed of as animal feed, under the supervision of the Food and Drug Administration; otherwise, the product was to be destroyed.

**11332. Misbranding of spaghetti. U. S. v. 150 Cases \* \* \*. (F. D. C. No. 20561. Sample No. 1272-H.)**

**LABEL FILED:** July 26, 1946, Northern District of Georgia.

**ALLEGED SHIPMENT:** On or about March 12, 1946, by the Kentucky Macaroni Co., Inc., from Louisville, Ky.

**PRODUCT:** 150 cases, each containing 24 6-ounce packages, of spaghetti at Atlanta, Ga.

**LABEL, IN PART:** "Red Label Brand Spaghetti."

**NATURE OF CHARGE:** Misbranding, Section 403 (d), the container of the article was so filled as to be misleading since the spaghetti occupied less than half the volume of the package.

**DISPOSITION:** September 16, 1946. The Joe Seitz Wholesale Grocery Co., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered released under bond for repacking and relabeling under the supervision of the Food and Drug Administration.

#### MISCELLANEOUS CEREALS AND CEREAL PRODUCTS

**11333. Adulteration of brewers flakes. U. S. v. 190 Bags \* \* \*. (F. D. C. No. 20392. Sample No. 45681-H.)**

**LABEL FILED:** July 12, 1946, Northern District of California.

**ALLEGED SHIPMENT:** On or about February 23 and March 16, 1946, from Omaha, Nebr.

**PRODUCT:** 190 75-pound bags of brewers flakes at Red Bluff, Calif., in possession of the U. S. Brewing Corp. The product was stored under insanitary conditions after shipment. Some of the bags were rodent-gnawed, and rodent pellets and urine stains were observed on them. Examination showed that the product contained rodent pellets.

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a filthy substance; and, Section 402 (a) (4), it had been held under insanitary conditions whereby it may have become contaminated with filth.

**DISPOSITION:** October 7, 1946. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

**11334. Adulteration of hops. U. S. v. 360 Bales \* \* \*. (F. D. C. No. 20428. Sample No. 48232-H.)**

**LIBEL FILED:** July 30, 1946, District of Colorado.

**ALLEGED SHIPMENT:** On or about October 2, 11, and 15, and November 17, 1945, by John I. Haas, Inc., from Buena and Toppenish, Wash.

**PRODUCT:** 360 200-pound bales of hops at Golden, Colo.

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a filthy substance by reason of the presence of aphids.

**DISPOSITION:** October 3, 1946. The Adolph Coors Co., Golden, Colo., and John I. Haas, Inc., Washington, D. C., claimants, having admitted the material allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond for the segregation of the fit portion, under the supervision of the Food and Drug Administration.

**11335. Adulteration of farina and popcorn. U. S. v. 44 Bags, etc. (F. D. C. No. 21115. Sample Nos. 19387-H, 19388-H.)**

**LIBELS FILED:** September 28, 1946, Northern District of Iowa.

**ALLEGED SHIPMENT:** On or about November 21, 1945, and March 2, 1946, from Humboldt, Nebr., and Atchison, Kans.

**PRODUCT:** 44 50-pound bags of farina and 100 100-pound bags of popcorn at Cedar Falls, Iowa, in possession of Diamond Brothers. The articles were stored under insanitary conditions after shipment. Some of the bags were rodent-gnawed, and live insects and rodent excreta were observed on them. Examination showed that the farina contained live insects and webbing and that the popcorn contained live insects and rodent excreta.

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the articles consisted in whole or in part of filthy substances; and, Section 402 (a) (4), they had been held under insanitary conditions whereby they may have become contaminated with filth.

**DISPOSITION:** October 22, 1946. Diamond Brothers, claimant, having consented to the entry of decrees, judgments of condemnation were entered and the products were ordered released under bond for conversion into stock feed, under the supervision of the Federal Security Agency.

**11336. Adulteration of popcorn. U. S. v. 15 Bags \* \* \*. (F. D. C. No. 21144. Sample No. 23596-H.)**

**LIBEL FILED:** October 2, 1946, Eastern District of Missouri.

**ALLEGED SHIPMENT:** On or about October 4, 1945, by the J. A. McCarty Seed Co., from Evansville, Ind.

**PRODUCT:** 15 bags of popcorn at St. Louis, Mo.

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a filthy substance by reason of the presence of insects, larvae, and insect fragments.

**DISPOSITION:** October 25, 1946. No claimant having appeared, judgment of condemnation was entered and the product was ordered sold to be denatured, as directed by the Federal Security Agency, so that it could not be disposed of for human consumption.

**11337. Adulteration of shelled popcorn. U. S. v. 7 Barrels, etc. (and 3 other seizure actions). (F. D. C. Nos. 20658, 20659, 21869, 22336. Sample Nos. 19784-H, 47734-H, 50994-H, 72490-H.)**

**LIBELS FILED:** August 14 and December 19, 1946, and January 8, 1947, Western District of Wisconsin and District of Colorado.